

9 FAM 40.68

ALIENS SUBJECT TO INA 222(G)

(TL:VISA-515; 01-29-2003)

An alien who, under the provisions of INA 222(g), has voided a nonimmigrant visa by remaining in the United States beyond the period of authorized stay is ineligible for a new nonimmigrant visa unless the alien complies with the requirements in 22 CFR 41.101(b) or (c) regarding the place of application

9 FAM 40.68 RELATED STATUTORY PROVISIONS

(TL:VISA-515; 01-29-2003)

See 22 CFR 40.68, and INA 222(g)

- (1) In the case of an alien who has been admitted on the basis of a nonimmigrant visa and remained in the United States beyond the period of stay authorized by the Attorney General, such visa shall be void beginning after the conclusion of such period of stay.
- (2) An alien described in paragraph (1) shall be ineligible to be readmitted to the United States as a nonimmigrant, except
 - (A) On the basis of a visa (other than the visa described in paragraph (1) issued in a consular office located in the country of the alien's nationality (or, if there is no office in such country, in such other consular office as the Secretary of State shall specify); or
 - (B) Where extraordinary circumstances are found by the Secretary of State to exist.